

# United States Court of Appeals For the First Circuit

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No. 23-1169

KENNETH PITTS,

Plaintiff - Appellant,

v.

SAN JUAN COLLEGE,

Defendant - Appellee.

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Before

Montecalvo, Rikelman and Aframe,  
Circuit Judges.

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## JUDGMENT

Entered: January 13, 2025

Having reviewed plaintiff-appellant's response to this court's March 3, 2023 order to show cause, we conclude that it fails to establish a basis for appellate jurisdiction. Because this appeal seeks review of an order that effected a transfer of the underlying action under 28 U.S.C. § 1631, the substance of that order is not immediately reviewable. Subsalve USA Corp. v. Watson Manufacturing, Inc., 462 F.3d 41, 47 (1st Cir. 2006). Accordingly, the appeal is dismissed, without prejudice, for lack of jurisdiction. The motion for appointment of counsel is denied as moot and without prejudice to refiling in the court of transfer.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Kenneth Allen Pitts  
Luke A. Salganek